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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ELIZABETH ALEXANDER,

Case No. C-09-01677 CW

Plaintiff,

**STIPULATION AND ORDER
EXTENDING TIME FOR EXPERT
DISCOVERY AND DISCLOSURE OF
F.R.C.P. 26(a)(2)(B) REPORT BY
DEFENDANT'S REBUTTAL EXPERT
WITNESS**

v.

NATIONWIDE LIFE INSURANCE
COMPANY, DOES 1 through 50,
inclusive,

Assigned Judge: Hon. Claudia Wilken

Defendant.

Trial Date: January 10, 2011

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, through
their respective counsel, as follows:

1. The Court's August 17, 2009 Order established June 25, 2010, as the deadline
for completion of expert witness discovery.

1 2. The trial in this matter is scheduled to begin on January 10, 2011.

2 3. Defendant Nationwide Life Insurance Company filed its Motion for Summary
3 Judgment on June 17, 2010, which is scheduled to be heard by this Court on June 22, 2010.

4 4. In response to Plaintiff's April 20, 2010 discovery requests, Defendant
5 provided Plaintiff with additional information regarding Plaintiff's compensation on May 20, 2010.

6 5. Pursuant to Federal Rule of Civil Procedure 26(a)(2)(C)(ii), the date upon
7 which Defendant is required to disclose its rebuttal expert witness report is June 24, 2010.

8 6. Defendant's counsel, Theodora R. Lee, has a trial and scheduled business trips
9 during the month of August 2010.

10 7. Because Defendant's motion for summary judgment requesting dismissal of
11 Plaintiff's Complaint is scheduled to be heard on July 22, 2010, because Plaintiff desires additional
12 time for her expert to examine the additional compensation records produced by Defendant in May
13 2010, and because of Ms. Lee's August 2010 work schedule, the parties wish to extend the deadline
14 for expert discovery until October 15, 2010.

15 8. Because Defendant has not yet had the opportunity to depose Plaintiff's expert
16 witness, the parties agree that the deadline for service of the Rule 26(a)(2)(B) written report by
17 Defendant's rebuttal expert should be extended to 10 days following the date upon which Defendant
18 conducts the deposition of Plaintiff's expert witness.

19 9. No prior extension of time to disclose expert reports or extend expert
20 discovery has been requested or granted.

21 10. The parties request that the deadline for expert discovery be extended until
22 October 15, 2010.

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1 11. The parties further request that the deadline for the service of the Rule
2 26(a)(2)(B) written report by Defendant's rebuttal expert be extended to 10 days following the date
3 upon which Defendant conducts the deposition of Plaintiff's expert witness.

4 Dated: June 23, 2010

/s/ Theodora R. Lee

5 THEODORA R. LEE
6 LITTLER MENDELSON, P.C.
7 Attorneys for Defendant
8 NATIONWIDE LIFE INSURANCE COMPANY

9 Dated: June 23, 2010

/s/ Michael E. Adams

10 MICHAEL E. ADAMS
11 LAW OFFICES OF MICHAEL E. ADAMS
12 Attorneys for PLAINTIFF
13 ELIZABETH ALEXANDER

14 Filer's Attestation:

15 I, Theodora R. Lee, am the ECF user whose identification and password are being
16 used to file this STIPULATION AND [PROPOSED] ORDER EXTENDING TIME FOR EXPERT
17 DISCOVERY AND DISCLOSURE OF F.R.C.P. 26(a)(2)(B) REPORT BY DEFENDANT'S
18 REBUTTAL EXPERT WITNESS. In compliance with General Order 45.X.B, I hereby attest that
19 Michael E. Adams concurs in this filing.

20 By: */s/ Theodora R. Lee*
21 THEODORA R. LEE

ORDER

1. The deadline for completion of expert discovery is extended to October 15, 2010.

2. The deadline for the service of the Rule 26(a)(2)(B) written report by Defendant's rebuttal expert witness is extended to 10 days following the date upon which Defendant conducts the deposition of Plaintiff's expert witness.

IT IS SO ORDERED.

Dated this 24th day of June, 2010

Claudia Wilken
THE HONORABLE CLAUDIA WILKEN

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